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Senator Michael Connolly
Senator Ron Wieck
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Representative Wes Whitead
Representative Cindy Winckler

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June 29, 2005

Judy Jeffrey, Director, Department of Education
Kevin Concannon, Director, Department of Human Services

At the June 21, 2005, Government Oversight Committee meeting, a discussion arose regarding home schooled children and the requirement that the parents of those children meet with and return a phone call from school officials every three months. At this time, the Committee does not want to have you present at the next meeting to discuss the issue, but would appreciate your candid responses to the following questions that were raised during that discussion.

- In the event that parents do not meet with or return calls from school officials, what is the Department of Education's policy related to the action that a school district should take?
- Is there or should there be policy in place that, if a parent does not meet with or return calls from school officials, representatives from the school and the nearest Department of Human Services office visit the home and meet with the parents and the child to ensure the safety and well being of the child?

Please provide a written response by July 10 to Douglas Wulf, Legislative Services Agency, who will forward it to all Committee Members prior to our July 18 meeting.

We appreciate your assistance.

Sincerely,

Sen. Tom Courtney, Co-Chair, Sen. Ron Wieck, Co-Chair, and Rep. Dwayne Alons, Co-Chair.

cc: Jeff Berger, DOE
Kate Walton, DHS



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF EDUCATION
JUDY A. JEFFREY, DIRECTOR

To: Senator Alons
Senator Courtney
Senator Wieck

From: Judy Jeffrey, Director, Department of Education
Kevin Concannon, Director, Department of Human Services

Subject: Questions submitted by the Government Oversight Committee
regarding home school law and policy

Date: July 8, 2005

Regarding the questions submitted to the Department of Education and the Department of Human Services on laws and policies pertaining to home schooled children, the Departments submit this joint response:

Question 1: In the event that parents do not meet with or return calls from school officials (related to the requirement that the parents of home schooled children meet with and return a phone call from school officials every three months), what is the Department of Education's policy related to the action that a school district should take?

Answer: To clarify the above interpretation of Code, CPI families are under no obligation generally to have contact with school personnel unless they are enrolled in a Home School Assistance Program (HSAP). Families who enroll in a HSAP must accommodate a contact from a licensed teacher employed by a school district 4 times each quarter. In our experience, most families who enroll in a HSAP know about and welcome these contacts from the teacher. It is more common for families who want to minimize school district contact to avoid the HSAP as well. In these situations with CPI families who are not enrolled in a HSAP, the only contact obligation they have is to file a "Form A" with the district and AEA and to submit evidence that the child is making "adequate progress educationally."

The Department only receives documentation of adequate progress educationally in the event that the home schooling parent is not coordinating the CPI educational program with a licensed teacher from the district. Consequently, as long as the CPI parent is following procedures set out in law, school districts are under no obligation to follow-up with CPI families apart from those that enroll in a HSAP. It is also our experience that the licensed teachers in HSAP

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programs, as mandatory reporters of suspected child abuse, routinely refer questionable situations to local Human Services investigators.

Question 2: Is there or should there be policy in place that, if a parent does not meet with or return calls from school officials, representatives from the school and the nearest Department of Human Services office visit the home and meet with the parents and the child to ensure the safety and well being of the child?

Answer: We believe there may be situations currently involving CPI students not served by a HSAP that are negative and potentially dangerous. However, authority does not exist for either agency (DOE or DHS) to arbitrarily monitor or intercede on these situations. The legislature has already determined (in 1991 through amendments to Iowa Code 299.8) that truancy alone is not a cause to file a CINA petition and truancy is not child abuse as defined in Iowa Code 232.68. We are open to any conversation that would promote additional safeguards for children in these situations. Additional monitoring may be warranted.

Let us know if you have further questions or concerns. Please route any concerns or questions to Jeff Berger, DOE or Kate Walton, DHS. Thank you.

Cc: Jeff Berger
Kate Walton